

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

KODAS et al.

Serial No. 10/731,740

Filed: December 9, 2003

Confirmation No. 5116

Atty. File No.: 41890-01674


For: "ELECTROCATALYST POWDERS,
METHODS FOR PRODUCING POWDERS
AND DEVICES FABRICATED FROM SAME"



Group Art Unit: 1755

Examiner: Patricia L. Hailey

INFORMATION DISCLOSURE STATEMENT

<p style="text-align: center;">CERTIFICATE OF MAILING</p> <p>I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 ON February 2, 2006.</p> <p style="text-align: center;">MARSH FISCHMANN & BREYFOGLE, LLP</p> <p>By:  Lynn Pennywell</p>
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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to Applicant's duty of disclosure under 37 CFR § 1.56 and 37 CFR §§ 1.97-1.98, Applicant hereby submits the enclosed PTO Form 1449, although Applicant does not admit that this document, alone or in any combination, is considered to be material to patentability as defined in 37 CFR § 1.56(b). Moreover, the inclusion of this document is not to be construed as an admission by Applicant that each such document is prior art as to the above-identified application. Pursuant to the Official Gazette Notice of August 5, 2003, a copy of the U.S. Patent is not being submitted herewith.

Respectfully submitted,

MARSH FISCHMANN & BREYFOGLE LLP

Date: February 2, 2006

By: 

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